

House File 607

H-1224

1 Amend House File 607 as follows:
2 1. Page 1, line 32, by striking <executive
3 director> and inserting <agricultural development
4 board, executive director,>
5 2. By striking page 1, line 35, through page 2,
6 line 18.
7 3. Page 2, by striking lines 28 through 30 and
8 inserting <An Iowa finance authority board of directors
9 is created. The powers of the authority are vested in
10 and shall be exercised by a the board of. The board
11 includes nine members appointed by the>
12 4. Page 3, by striking lines 7 through 10.
13 5. Page 3, before line 11 by inserting:
14 <Sec. _____. Section 16.2A, subsections 5 and 7, Code
15 2013, are amended to read as follows:
16 5. Members of the board and the executive director
17 shall give bond as required for public officers in
18 chapter 64.
19 7. Members shall elect a chair and vice chair
20 annually and other officers as they determine. The
21 executive director shall serve as secretary to the
22 board.>
23 6. Page 3, after line 24 by inserting:
24 <Sec. _____. NEW SECTION. 16.221 Agricultural
25 development division — administration of programs.
26 1. An agricultural development division is created
27 within the authority. The division shall administer
28 chapter 175, by providing assistance to beginning
29 farmers, agricultural producers, displaced farmers,
30 or other persons qualifying for such assistance under
31 chapter 175.
32 2. The agricultural development division shall
33 be administered in accordance with the policies of
34 the agricultural development board created in section
35 175.3. The executive director of the authority may
36 organize the division and employ necessary qualified
37 personnel to administer this chapter and chapter 175.
38 3. The division shall, to every extent practical,
39 assist such persons to do all of the following:
40 a. Acquire agricultural land, agricultural
41 improvements, or depreciable agricultural property,
42 including as provided in section 175.12 or 175.33.
43 b. Implement the installation of permanent soil
44 and water conservation practices and the acquisition
45 of conservation farm equipment for agricultural land,
46 including as provided in section 175.34.
47 c. Obtain affordable operating capital, including
48 as provided by section 175.35.
49 d. Begin or expand beef cattle operations,
50 including as provided in section 175.36.

1 e. Obtain agricultural assets transfer tax credits,
2 including by issuing tax credit certificates pursuant
3 to section 175.37.

4 f. Develop programs to assist qualified
5 agricultural producers within the state with financing
6 other capital requirements or operating expenses.

7 4. A program established in chapter 175 may be
8 combined with any other program established in this
9 chapter, or a federal program, in order to facilitate,
10 as far as practical, the types of assistance described
11 in this section.

12 5. The net earnings of the division, beyond that
13 necessary for retirement of its notes, bonds, or other
14 obligations or to implement the public purposes and
15 programs authorized in this chapter or chapter 175,
16 shall not inure to the benefit of any person other than
17 the state.

18 6. a. At least two of the authority's full-time
19 equivalent positions, as defined in section 8.36A,
20 shall be entirely dedicated to administering programs
21 established pursuant to chapter 175. One of those
22 full-time equivalent positions shall be dedicated to
23 overseeing the administration of those programs, and
24 to the extent that the programs are affected, the
25 full-time equivalent position shall be provided the
26 powers and duties necessary to do all of the following:

27 (1) Participate in making managerial decisions.
28 (2) Provide for outreach and promotion.
29 (3) Improve delivery of services.

30 b. This subsection is repealed on July 1, 2015.>

31 7. Page 3, by striking lines 31 and 32 and
32 inserting:
33 <NEW PARAGRAPH. Oh. "Board" means the agricultural
34 development board created in section 175.3.>

35 8. Page 4, by striking lines 3 through 35 and
36 inserting:
37 <175.3 Agricultural development board.
38 1. The powers of the agricultural development
39 division, created within the Iowa finance authority
40 under section 16.221, are vested in and shall be
41 exercised by the agricultural development board as
42 provided in section 16.221 and this section.
43 2. The agricultural development board is created to
44 exercise all powers and perform all duties necessary
45 to administer this chapter according to policies
46 established by the Iowa finance authority. The
47 authority shall establish policies and practices for
48 the division and oversee its operations. The authority
49 may review or approve decisions affecting the division
50 or administration of this chapter, including decisions

1 of the agricultural development board.

2 3. The agricultural development board consists of
3 five members appointed by the governor. The executive
4 director of the Iowa finance authority or the executive
5 director's designee shall serve as an ex officio
6 nonvoting member.

7 4. The appointed members of the agricultural
8 development board shall be appointed and retain office
9 as follows:

10 a. Not more than three members shall belong to the
11 same political party.

12 b. As far as possible the governor shall include
13 within the membership persons who represent financial
14 institutions experienced in agricultural lending,
15 real estate sales, farmers, beginning farmers,
16 average taxpayers, local government, soil and
17 water conservation district officials, agricultural
18 educators, and other persons specially interested in
19 family farm development.

20 c. Members shall serve for staggered terms of
21 six years beginning and ending as provided in section
22 69.19. A person appointed to fill a vacancy shall
23 serve only for the unexpired portion of the member's
24 term. A member is eligible for reappointment. An
25 appointed member may be removed from office by the
26 governor for misfeasance, malfeasance, willful neglect
27 of duty, or other just cause, after notice and hearing,
28 unless the notice and hearing is expressly waived in
29 writing.

30 5. The agricultural development board shall conduct
31 business according to all of the following:

32 a. Three appointed members constitute a quorum and
33 the affirmative vote of a majority of the appointed
34 members is necessary for any substantive action taken
35 by the board. A majority of appointed members shall
36 not include any member who has a conflict of interest
37 and a statement by a member that the member has a
38 conflict of interest is conclusive for this purpose. A
39 vacancy in the membership does not impair the right of
40 a quorum to exercise all rights and perform all duties
41 of the board.

42 b. Meetings of the board shall be held at the call
43 of the chairperson or whenever two appointed members
44 so request.

45 c. The appointed members shall elect a chairperson
46 and vice chairperson annually, and other officers as
47 they determine. The executive director of the Iowa
48 finance authority or the executive director's designee
49 shall serve as secretary to the board.

50 6. An appointed member of the agricultural

1 development board is entitled to receive a per diem
2 as specified in section 7E.6 for each day spent
3 in performance of duties as a member, and shall be
4 reimbursed for all actual and necessary expenses
5 incurred in the performance of duties as a member.
6 7. An appointed member of the agricultural
7 development board shall give bond as required for
8 public officers in chapter 64.>
9 9. Page 5, line 12, by striking <as provided in
10 section 175.3> and inserting <under this chapter>
11 10. Page 6, by striking line 13 and inserting:
12 <Sec. _____. REPEAL. Section 175.7, Code 2013, is>
13 11. Page 9, after line 8 by inserting:
14 <Sec. _____. APPOINTMENTS. In making appointments
15 to the agricultural development board as created in
16 section 175.3, as enacted in this Act, the governor
17 shall appoint a number of initial members to serve
18 for less than six years to ensure that members serve
19 staggered terms.>
20 12. Page 9, by striking lines 9 through 16.
21 13. Page 11, line 15, before <The> by inserting
22 <The Iowa finance authority shall consult with the
23 agricultural development board when implementing this
24 Act.>
25 14. Title page, by striking lines 4 through 5
26 and inserting <the composition of the Iowa finance
27 authority board of directors,>
28 15. By renumbering, redesignating, and correcting
29 internal references as necessary.

PETTENGILL of Benton